

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 16/11/2020	Ref: 66113/NON
Registration: 23/10/2020	LDfC:	Expiry Date: 20/11/2020
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Non-material amendment following grant of planning permission 65564 for part demolition and conversion of existing community centre/club to form 1 no. dwelling with new pitched roof and alterations to fenestration:
Minor alterations to fenestration to suit revised internal layout; Minor alteration of bin store position; Minor alteration of park space position

Location: 19 Cobden Street, Radcliffe, Manchester, M26 4HR

Description

The site relates to a detached single storey brick building which has been vacant for approximately 10 years. It was formally in use as a social club/community centre.

There are two unadopted, unmade vehicular accesses which run down each side of the building off Cobden Street, which lead to the rear of terrace houses on Cobden Street to the west, 1a and 1b Cobden Street to the rear, and a commercial building and yard. To the east is a public house.

The site is rectangular in shape with the building accommodating a large part of the site area. There is a strip of land on the eastern side of the building, 2.7m wide which runs the length of the building and there is a grassed area at the front. To the west, there is a grassed strip of land 4.5m wide next to the unadopted access.

The property has been subdivided internally and comprises 2 separate units. The main entrance is on the front of the building and there is an access door on the eastern side. The building has a pitched roof to the front with a flat roof on the rear part of the building which appears to be an extension added at a later date.

Planning permission was granted for the conversion of the building to form 1 no. x 2 bed dwelling with the demolition of the rear part of the building.

The development included alterations to the elevations to provide an entrance and window openings, a parking space to the side accessed off the unadopted road, bin store area and private amenity and garden at the rear. It is to be bounded by a 900mm timber fence to the front and part of the eastern side with a 1.8m high timber fence erected around the remainder of the site.

Due to a re-configuration of the internal accommodation, amendments are sought to the external elevations and positions of openings, and minor alterations to the parking position and bin store.

This application is for a non-material amendment to address these changes.

Relevant Planning History

65564 - Part demolition and conversion of existing community centre/club to form 1 no. dwelling with new pitched roof and alterations to fenestration - Approved 2/9/20

63156 - Conversion of existing community centre/club to form 2 no. dwellings, new pitched roof and alterations to fenestrations - Refused 8/11/2018. Appeal dismissed 13/8/2019
53402 - Change of use from over 60's club (Use class D2) to Office (Use Class B1) - Refused 19/01/2011
53889 - Change of use from over 60's club (Class D2) to light industrial (Class B1) with residential accommodation (Class C3) - Withdrawn by Applicant 17/06/2011
54101 - Change of use from over 60's club (Class D2) to light industrial (Class B1) with residential accommodation (Class C3) - Withdrawn by Applicant 09/08/2011

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
H2/4	Conversions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life

and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Layout - Proposed changes involve the parking space and bin store facilities.

The position of the car parking space would be slightly adjusted but would be located in the same area of the site but set marginally further back from the front elevation than previously approved. It would be wholly within the development site and would not project onto the access road at any point.

The bin store area would be re-orientated but would still be positioned on the west elevation next to the entrance.

It is therefore considered that the minor adjustments would not fundamentally differ to the approved layout and are considered to be acceptable.

Design and appearance - Due to the re-configuration of the internal accommodation, proposed changes to the external appearance of the building relate to the design and alterations of window and door positions. This would involve providing 3 additional habitable room windows, re-locating a non-habitable room window and the re-design of the entrance and patio doors.

The habitable room windows would be partly screened by the 1.8m high boundary fence and therefore impact on privacy from and to the site is considered not to be significantly compromised.

The new full height window to the front elevation would face out of the site and onto the main road and as such would be acceptable. Alterations to the entrance on the west elevation and the additional glazed panel to the patio doors at the rear would similarly be minimal alterations and not impact on visual or residential amenity.

In conclusion, it is considered that the proposed amendments are considered to be acceptable and would be non-material to the original approval reference 65564.

Recommendation: Approve

Conditions and Reasons:

The proposed amendments for alterations to the elevations and fenestrations and alteration of the bin store position and car park space position would not affect the character of the originally approved scheme and there would be no adverse impact

DELEGATED REPORT

on residential amenity, the visual amenity of the street scene, appearance of the development or impact on highway safety.

The development would still be in accordance with the principles of the planning permission reference 65564 and the policies against which it was approved.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	16/11/20	DM	16/11/20